



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

July 02, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

29 July 2, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD  
TUNNEL LINING AND REPAINTING PROJECT  
MALIBU CANYON ROAD AND KANAN DUME ROAD T1 TUNNELS  
IN THE UNINCORPORATED COMMUNITIES OF  
CORNELL AND MONTE NIDO  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

### SUBJECT

This action is to approve and advertise the project to strengthen two tunnels with steel liners and repaint existing liners on Malibu Canyon Road and Kanan Dume Road T1 Tunnels, in the unincorporated communities of Cornell and Monte Nido; find the project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and environmental plans for a fee not to exceed \$16,000 and a construction contract with the apparent responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works to strengthen two tunnels with steel liners and repaint existing liners, in the unincorporated communities of Cornell and Monte Nido, at an

estimated construction contract cost between \$4,500,000 and \$6,250,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on August 6, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,000 funded by existing project funds.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to obtain approval from the Board and advertise the project, adopt the plans and specifications, and authorize the Director of Public Works or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,000 funded by existing project funds and a construction contract with the apparent responsible contractor with the lowest responsive bids, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and environmental plans that conforms to the County of Los Angeles' specifications is critical to successfully manage construction activities by both the contractor and the County and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, the Department of Public Works may return to the Board to recommend that the contractor be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables, which conform to the County's specifications.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved highway tunnels for the traveling public, which will benefit the communities.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$4,500,000 to \$6,250,000. The total project cost is estimated to be \$7,524,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

The project cost will be financed with State Proposition 1B Transportation Bond funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. Funding for this project is included in the Third Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This project is part of Public Works' ongoing program for the construction of highways. It will be advertised in accordance with Section 20404 of the State Public Contract Code.

This project is to be completed in 300 working days. It is estimated the work will start in January 2014 and be completed in March 2015.

Delegating to the Director of Public Works or her designee the authority to award, execute, and approve changes or alterations to this construction contract and specified administrative authority will allow an expedited contracting process to obtain a contractor and facilitate construction delivery for the strengthening of these existing tunnels.

Effective January 1, 2011, State law requires that projects funded with specific bond funds be subject to monitoring and oversight by the Department of Industrial Relations' Compliance Monitoring Unit (CMU). In order to comply with guidance issued by the CMU, contractors and subcontractors engaged in this contract will be required to submit electronic certified payrolls directly to the State. The CMU may invoice Public Works up to one quarter of one percent of the total project cost.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that

provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), (d), and (h) of the CEQA Guidelines and Class 1 Subsections (c), (j), (x)(2) and (x)(14) of the Environmental Reporting Procedures and Guidelines adopted by the Board. These exemptions provide for restoration and repair of existing tunnel structures required because of accumulated maintenance not performed, maintenance or minor alteration to existing landscaping or native growth, resurfacing roadway pavement, and reconstruction of existing roadway pavement and curb.

### **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved roadway facilities for the traveling public, thereby benefiting the communities.

### **CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

The Honorable Board of Supervisors

7/2/2013

Page 5

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:lg

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)